

# Exhibit 6

**From:** Gadeir Abbas  
**To:** [Konkoly, Antonia \(CIV\)](#); [Lena F. Masri, Esq.](#); [shereef@akeelvalentine.com](mailto:shereef@akeelvalentine.com); [Jack Cooper](#); [Ahmed Mohamed](#)  
**Cc:** [Powell, Amy \(CIV\)](#); [Roth, Dena M. \(CIV\)](#); [Coppolino, Tony \(CIV\)](#); [Wetzler, Lauren \(USAFAE\)](#)  
**Subject:** RE: Elhady -- proposal re Plaintiff's motion for an extension  
**Date:** Wednesday, January 10, 2018 10:31:16 AM  
**Attachments:** [image001.png](#)

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Toni,

I appreciate your willingness to move the expert date, but we need to be able to share the inclusion standard and other information we've requested from the defendants with our experts in order to allow them to make their reports. So, the end of the month expert deadline move wouldn't put us in a position to do anything more than what we are doing now.

We'll join a motion to move the extension hearing to 1/19 and your response to 1/17. Please circulate your draft before filing. I'll commit to filing our MTC this Friday (rather than before the hearing that we're trying to move this Friday, as I had previously indicated).

Regards,

Gadeir Abbas, Esq.

**Senior Litigation Attorney**

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Licensed to practice in VA, not in DC.  
Practice limited to federal matters.

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**From:** Konkoly, Antonia (CIV) [mailto:[Antonia.Konkoly@usdoj.gov](mailto:Antonia.Konkoly@usdoj.gov)]

**Sent:** Wednesday, January 10, 2018 9:07 AM

**To:** Gadeir Abbas ; Lena F. Masri, Esq. ; [shereef@akeelvalentine.com](mailto:shereef@akeelvalentine.com); Jack Cooper ; Ahmed Mohamed

**Cc:** Powell, Amy (CIV) ; Roth, Dena M. (CIV) ; Coppolino, Tony (CIV) ; Wetzler, Lauren (USAFAE)

**Subject:** RE: Elhady -- proposal re Plaintiff's motion for an extension

Gadeir,

As I noted last night, the proposed proviso about Plaintiffs' expert deadline was intended to be for Plaintiffs' benefit. We have absolutely no problem taking it out of the proposed motion.

Please advise as soon as possible if Plaintiff would join a joint motion to move (1) Defendants' response deadline on the pending extension motion to next Wednesday 1/17, and (2) move hearing on the same to next Friday, 1/19.

If this works I will draft a motion and circulate. We do need a final answer as soon as possible in order to formulate an alternative filing if Plaintiffs do not agree to this proposal.

Thank you,

Toni

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**From:** Gadeir Abbas [<mailto:gAbbas@cair.com>]  
**Sent:** Tuesday, January 09, 2018 9:22 PM  
**To:** Lena F. Masri, Esq. <[lmasri@cair.com](mailto:lmasri@cair.com)>; shereef@akeelvalentine.com; Jack Cooper <[jCooper@cair.com](mailto:jCooper@cair.com)>; Ahmed Mohamed <[aMohamed@cair.com](mailto:aMohamed@cair.com)>; Konkoly, Antonia (CIV) <[ankonkol@CIV.USDOJ.GOV](mailto:ankonkol@CIV.USDOJ.GOV)>  
**Cc:** Powell, Amy (CIV) <[apowell@CIV.USDOJ.GOV](mailto:apowell@CIV.USDOJ.GOV)>; Roth, Dena M. (CIV) <[droth@CIV.USDOJ.GOV](mailto:droth@CIV.USDOJ.GOV)>; Coppolino, Tony (CIV) <[tcoppoli@CIV.USDOJ.GOV](mailto:tcoppoli@CIV.USDOJ.GOV)>; Wetzler, Lauren (USAVAE) <[Lauren.Wetzler@usdoj.gov](mailto:Lauren.Wetzler@usdoj.gov)>

**Subject:** Re: Elhady -- proposal re Plaintiff's motion for an extension  
Toni - we had the thought to just jointly motion to move your response date to sometime next week and the hearing date to 1/19. Without all the other things you included, I think we can agree to extend those two dates for the purpose of allowing your response to address our motion to compel later this week.

Let me know if you all would be open to that.

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**From:** Gadeir Abbas  
**Sent:** Tuesday, January 9, 2018 6:51:00 PM  
**To:** Lena F. Masri, Esq.; [shereef@akeelvalentine.com](mailto:shereef@akeelvalentine.com); Jack Cooper; Ahmed Mohamed; Konkoly, Antonia (CIV)  
**Cc:** Powell, Amy (CIV); Roth, Dena M. (CIV); Coppolino, Tony (CIV); Wetzler, Lauren (USAVAE)  
**Subject:** Re: Elhady -- proposal re Plaintiff's motion for an extension  
I oppose the motion you proposed. I waive oral argument.

If you'd like to meet and confer I'm available this evening (though screaming children are possible) or tomorrow morning (screaming children much less likely).

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**From:** Konkoly, Antonia (CIV) <[Antonia.Konkoly@usdoj.gov](mailto:Antonia.Konkoly@usdoj.gov)>  
**Sent:** Tuesday, January 9, 2018 2:12:47 PM  
**To:** Gadeir Abbas; Lena F. Masri, Esq.; [shereef@akeelvalentine.com](mailto:shereef@akeelvalentine.com); Jack Cooper; Ahmed Mohamed  
**Cc:** Powell, Amy (CIV); Roth, Dena M. (CIV); Coppolino, Tony (CIV); Wetzler, Lauren (USAVAE)  
**Subject:** Elhady -- proposal re Plaintiff's motion for an extension

Gadeir,

We have a proposal regarding your motion for an extension. As you are aware, any response from defendants to that motion is due tomorrow by 5 pm. We do not, however, feel we are in a position to make such a response before that time, given that you do not intend to file your second MTC (regarding the documents) until Thursday.

Accordingly, we would propose that the parties jointly file, no later than tomorrow morning, a joint motion to the following effect:

- Explaining to the court that Plaintiffs will be filing a MTC on Defendants' RFPs by Thursday, Jan. 11, and that the parties agree that it would be appropriate for that motion to be on record in order to allow Defendants an opportunity to assess how much time they will need to respond to the MTC, prior to defendants' taking a concrete position on—and the court adjudicating—the motion for an extension.

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Jointly requesting:

- o (1) That Defendants' deadline to respond to the extension motion be moved to January 17, and the hearing on the same to January 19
- o (2) That Plaintiffs' deadline for expert disclosures be moved, in the interim, to January 26

Further, although this would not be commemorated in tomorrow's proposed filing, we would also ask that you commit to noticing the second MTC (re the RFPs) on the normal 14/6 schedule. (Ie, if you file on Thursday as stated, setting hearing for no sooner than Feb. 2). We will surely need to ask the court for more than 14 days to respond to that motion. But if you notice it on the default 14/6 schedule, it will avoid our having to seek that extension immediately, prior to the hearing on Plaintiffs' extension motion.

Given the timing considerations at issue here, we need to know whether Plaintiffs will agree to this proposal no later than tonight, by COB if at all possible.

Please advise as soon as possible if Plaintiffs agree to this approach, and I will draft a joint motion for circulation.

Thank you,

Toni

Antonia Konkoly

Trial Attorney

U.S. Department of Justice

Civil Division | Federal Programs Branch

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